

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MOSAID Technologies Incorporated,

Plaintiff,

v.

Dell, Inc. et al.,

Defendants.

Civil Action No.
2:11-cv-00179-MHS-CMC

JURY TRIAL DEMANDED

**MOSAID’S RESPONSE TO DEFENDANT INTEL CORPORATION’S
EMERGENCY MOTION FOR THE ISSUANCE OF LETTERS OF
REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE
PURSUANT TO THE HAGUE CONVENTION OF MARCH 18, 1970**

Plaintiff MOSAID Technologies Incorporated (“MOSAID”) files this Response To Defendant Intel Corporation’s Emergency Motion For The Issuance Of Letters Of Request For International Judicial Assistance Pursuant To The Hague Convention Of March 18, 1970 (the “Motion”), and respectfully shows as follows:

Although MOSAID takes issue with many statements and representations contained in Intel’s Motion,¹ MOSAID does not oppose the request for relief contained in the Motion (i.e., the issuance of the letters rogatory). MOSAID has conferred with Intel and the parties agree that, in light of the foregoing, there is no need for oral argument on the Motion.

¹ As an example, Intel repeatedly asserts that MOSAID has “frustrated” Intel’s efforts to depose two named inventors of the patents-in-suit (i.e., Messrs. Diepstraten and Boer). (Mot. at 5-6.) This is simply not the case. As MOSAID has advised Intel, these individuals reside in the Netherlands and MOSAID has no ability to make these individuals available in the United States (or anywhere) for deposition. MOSAID requested that these individuals voluntarily sit for deposition, but they would not agree to do so.

DATED: May 6, 2013

Respectfully submitted,

By: s/Theodore Stevenson, III

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed and served on defendants via PACER/ECF on May 6, 2013.

s/Steven Callahan
STEVEN CALLAHAN